

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Alexandria Division

UNITED STATES OF AMERICA,	:	
	:	
v.	:	Criminal Case No. 1:18-CR-457 (AJT)
	:	
BIJAN RAFIEKIAN, et al.	:	

**DEFENDANT BIJAN RAFIEKIAN’S MOTION TO DISMISS THE INDICTMENT AND
EXCLUDE AND SUPPRESS PRIVILEGED INFORMATION**

Defendant Rafiekian, through counsel, hereby respectfully requests that this court (1) dismiss sub-paragraph (b) of Count One of the indictment, and (2) exclude and suppress all privileged information belonging to FIG that the government procured through FIG’s improper waiver of the attorney-client privilege. If the Court determines that factual issues preclude resolution of this motion on the current record, Mr. Rafiekian respectfully requests that the Court hold an evidentiary hearing in order to take testimony and otherwise establish the facts and evidence relevant to this motion. The grounds for this motion are set forth in the accompanying memorandum of law. A proposed order is attached to this motion.

Defendant respectfully requests that the Court hear this motion on June 18, 2019, at 9:00 a.m., or at such time as the Court may direct.

Dated: May 28, 2019

Respectfully submitted,

/s/
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CERTIFICATE OF SERVICE

I hereby certify that, on the 28th day of May 2019, true and genuine copies of Defendant Rafiekian's Motion to Dismiss the Indictment and Exclude and Suppress Privileged Information were sent via electronic mail by the Court's CM/ECF system to the following:

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